

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

MARCUS R. BRIM,

Plaintiff,

Case No. 1:13-cv-989

v

HON. JANET T. NEFF

DOUGLAS WELTON, et al.,

Defendants.

/

**MEMORANDUM OPINION AND ORDER**

This is a prisoner civil rights action filed pursuant to 42 U.S.C. § 1983. Plaintiff filed a Motion for an Injunction or Emergency Temporary Restraining Order (Dkt 98), requesting that the Court issue an Order requiring that he be housed in protective custody (*id.* at 3). The matter was referred to the Magistrate Judge, who issued a Report and Recommendation (R&R), recommending that Plaintiff's motion be denied (Dkt 128). The matter is presently before the Court on Plaintiff's objections to the Report and Recommendation (Dkt 129), as supplemented (Dkt 131). In accordance with 28 U.S.C. § 636(b)(1) and FED. R. CIV. P. 72(b)(3), the Court has performed de novo consideration of those portions of the Report and Recommendation to which objections have been made. The Court denies the objections and issues this Memorandum Opinion and Order.

Noting that injunctive relief is an "extraordinary remedy," the Magistrate Judge determined that Plaintiff failed to demonstrate that the applicable factors warranted the relief he requested. Pointing out that Plaintiff's concerns were not taken lightly, the Magistrate Judge determined that Plaintiff "failed to present evidence supporting his belief or suggesting that he will be in any

danger if returned to the general prison population” (R&R, Dkt 128 at PageID.946). The Magistrate Judge further determined that Plaintiff’s speculation was not a sufficient basis for the Court to interfere in the day-to-day operation of a corrections facility (*id.*). Plaintiff’s objections merely reiterate the arguments he set forth in his motion. His objections do not identify any factual or legal error that warrants a disposition other than the recommendation by the Magistrate Judge. Accordingly, the Court denies Plaintiff’s objections. Therefore:

**IT IS HEREBY ORDERED** that Plaintiff’s Objections (Dkt 129) are DENIED, and the Report and Recommendation (Dkt 128) is APPROVED and ADOPTED as the Opinion of the Court.

**IT IS FURTHER ORDERED** that Plaintiff’s Motion for an Injunction or Emergency Temporary Restraining Order, requesting (Dkt 98) is DENIED.

Dated: March 16, 2016

/s/ Janet T. Neff  
JANET T. NEFF  
United States District Judge